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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/809,109	03/25/2004	John A. Pasquarette	5150-82600	6652

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EXAMINER	
TSAI, CAROL S W	

ART UNIT	PAPER NUMBER
2857	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/809,109	PASQUARETTE ET AL.	
	Examiner	Art Unit	
	CAROL S. TSAI	2857	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *25 March 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-31* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-8,12,16,19-21,23 and 29-31* is/are rejected.

7)☒ Claim(s) *9-11,13-15,17,18,22 and 24-28* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *25 March 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *3/3/2005*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 4-8, 12, 16, and 29-31 are rejected under 35 U.S.C. 102(b) as being anticipated by U. S. Patent No. 4,839,583 to Takano et al.

3. With respect to claims 1, 12, 16, 29, 30, and 31, Takano et al. disclose a system for displaying signals, comprising: a processor (CPU 9 shown on Fig. 1B); and a memory (memory 2A shown on Fig. 1B) coupled to the processor (see Fig. 1B), wherein the memory stores program instructions for specifying a signal analysis function (see col. 6, lines 38-44), wherein the program instructions are executable by a processor to: receive first user input indicating a parameter for a first operation, wherein the operation implements at least a portion of a signal analysis function (see Abstract, lines 8-13; col. 3, lines 40-48; col. 4, lines 7-12 and lines 20-23; and col. 5, line 58 to col. 6, line 7); programmatically include the first operation in a sweep loop (see col. 7, lines 30-50); receive second user input specifying a sweep configuration for a sweep on the indicated parameter (see Abstract, lines 8-13; col. 3, lines 40-48; col. 4, lines 7-12 and lines 20-23; and col. 5, line 58 to col. 6, line 7); perform the sweep on the indicated parameter in accordance with the sweep configuration, thereby generating resultant data for the sweep (see Abstract, lines 13-25; col. 3, lines 50-62; and col. 5, lines 13-20); and storing the

resultant data for the sweep storing (see Abstract, lines 6-7; col. 3, lines 35-37 and lines 54-62; and col. 5, lines 1-5).

4. As to claim 2, Takano et al. also disclose displaying the resultant data for the sweep on a display (see Abstract, lines 14-25 and col. 3, lines 50-62).

5. As to claim 4, Takano et al. also disclose signal data (see col. 4, line 59 to col. 5, line 5).

6. As to claims 5 and 6, Takano et al. also disclose a signal plot (see Figs. 4 and 5).

7. As to claim 7, Takano et al. also disclose specifying one or more of: a range of values for the indicated parameter; a number of iterations for the sweep; an interpolation type; a step size for the sweep on the indicated parameter; one or more specific values in the range of values for the parameter; and a source for at least a portion of the sweep configuration (see col. col. 5, lines 11-20).

8. As to claim 8, Takano et al. also discloses specifying the resultant data (see col. 4, lines 7-19).

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

10. Claims 3, 19, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takano et al. in view of U. S. Patent No. 6,567,762 to Bourde et al.

11. As noted above, With respect to claims 3, 19, and 23, Takano et al. disclose the claimed invention, except for displaying a Graphical User Interface (GUI) on the display; wherein said receiving first input and said receiving second input comprise receiving said first input and said receiving second input to the GUI; and wherein said displaying the resultant data for the sweep on the display comprises displaying the resultant data for the sweep in the GUI.

12. Bourde et al. teach displaying a Graphical User Interface (GUI) on the display. wherein said receiving first input and said receiving second input comprise receiving said first input and said receiving second input to the GUI; and wherein said displaying the resultant data for the sweep on the display comprises displaying the resultant data for the sweep in the GUI (see Figs. 7 and 9; col. 11, lines 41-67; col. 15, lines 18-45; and col. 16, lines 27-39).

13. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Takano et al.'s system to include displaying a Graphical User Interface (GUI) on the display; wherein said receiving first input and said receiving second input comprise receiving said first input and said receiving second input to the GUI; and wherein said displaying the resultant data for the sweep on the display comprises displaying the resultant data for the sweep in the GUI, as taught by Bourde et al., in order to allow a user to input the power step parameter for the ACPR measurement.

14. Claims 20 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Takano et al. in view of Bourde et al. as applied to claims 1 and 19 above, and further in view of U. S. Patent No. 7,275,235 to Molinari et al.

15. As noted above, with respect to claims 20 and 21, Takano et al. in combination with Bourde et al. teach all the features of the claimed invention, but do not disclose a wizard, wherein said displaying the GUI comprises displaying a sequence of dialogs to interactively guide the user in specifying the sweep.

16. Molinari et al. teach a wizard (see col. 9, lines 47-61), wherein said displaying the GUI comprises displaying a sequence of dialogs to interactively guide the user in specifying the sweep (see col. 37, lines 10-25).

17. It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Takano et al. in combination with Bourde et al.'s system to include a wizard, wherein said displaying the GUI comprises displaying a sequence of dialogs to interactively guide the user in specifying the sweep, as taught by Molinari et al, in order to enable user applications to be distributed in a form that provides for easy installation on end user computers and to provide carefully designed configuration options that guide and assist the user in designing and building, intuitively and simply, a working measurement application (see col. 29, lines 9-11 and col. 9, lines 50-52).

Allowable Subject Matter

18. Claims 9-11, 13-15, 17, 18, 22, and 24-28 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

19. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

20. Mar discloses a phase noise measurement module (PNMM), system and method for measuring phase noise improve accuracy of phase noise measurements of a signal under test (SUT) using a spectrum analyzer.

21. Uchino et al. disclose a spectrum analyzer including a signal receiving and processing unit, a sampling unit, a histogram measuring unit, an arithmetic unit and a display unit.

22. Nagano discloses a frequency analysis method permitting a frequency analysis to be performed at a high rate and a sweep type spectrum analyzer using such frequency analysis method.

23. Takaoku et al. disclose a spectrum analyzer having an improved local oscillator for use in a digital step sweep is capable of minimizing a dynamic spurious response which is inverse proportional to a unit step time in the step sweep.

24. Hearn discloses an inexpensive portable RF (radio frequency) microcontroller-based digital spectrum analyzer being automatically calibrated for pass band amplitude tilt/variations.

25. Stimple et al. disclose an optical spectrum analyzer being provided with a user selectable sensitivity.

26. Obie et al. disclose a spectrum analyzer for measuring the frequency spectrum of a pulsed input signal including a synthesized local oscillator for providing an oscillator signal.

Contact Information

27. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CAROL S. TSAI whose telephone number is (571)272-2224. The examiner can normally be reached on M-F (8:00-4:30).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ramos-Feliciano S. Eliseo can be reached on (571) 272-7925. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

April 18, 2008
Art Unit 2857

/Carol S Tsai/
Primary Examiner, Art Unit 2857